

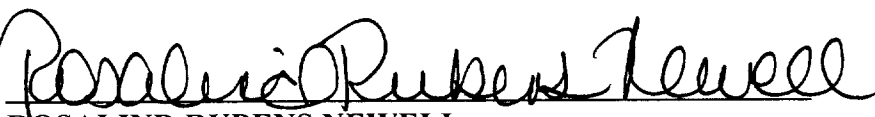
Entered - 04/10/02 - sb  
CL02L0285 - DIANNE C. MITCHELL

CLAIM OF: YI JIUN SHY  
325934 Ga. Tech. Station  
Atlanta, Georgia 30332-1080

03- R -0175

For damages alleged to have been sustained as a result of vehicular damage due to an improperly secured metal plate on March 2, 2002 at Northside Drive and Holmes Street.

THIS ADVERSED REPORT IS APPROVED

BY:   
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

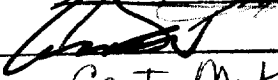
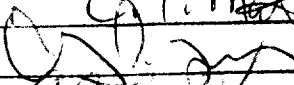
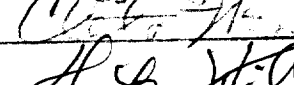
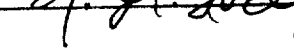
ADVERSED BY  
CITY COUNCIL FEB 17 2003

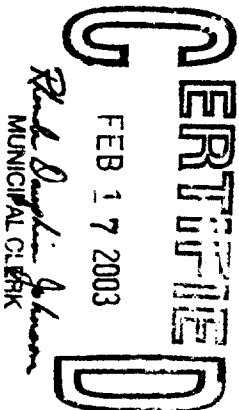
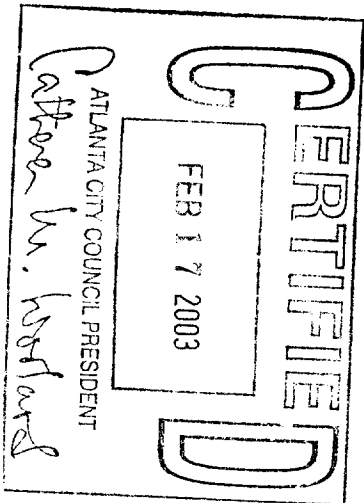
## ADVERSE REPORT

COMMITTEE

DATE

CHAIR

  
C. T. Mack  
  
  






## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

February 18, 2003

Yi Jiun Shy  
325934 Ga. Tech Station  
Atlanta, Georgia 30332-01080

03-R-0175

Dear Mr. Shy:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on February 17, 2003. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0285

Date: January 28, 2002

Claimant /Victim YI JIUN SHY

BY: (Atty)(Ins. Co.) \_\_\_\_\_

Address: 325934 Ga. Tech. Station, Atlanta, Georgia 30332-1080

Subrogation: Claim for Property damage \$ 224.39 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 03/28/02 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 03/02/02 Place: Northside Drive and Holmes Street

Department \_\_\_\_\_ Division: \_\_\_\_\_

Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: The claimant alleges he damaged his vehicle when he drove over an unsecured metal plate in the roadway. The investigation determined that the road work at this location was performed by the Atlanta Gas Light Company. The claim has been forwarded to the Atlanta Gas Light Company for handling and the claimant has been notified of this action.

INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_

Pictures X Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report \_\_\_\_\_ Other \_\_\_\_\_

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

BASIS OF RECOMMENDATION:

Function: Governmental \_\_\_\_\_ Ministerial \_\_\_\_\_

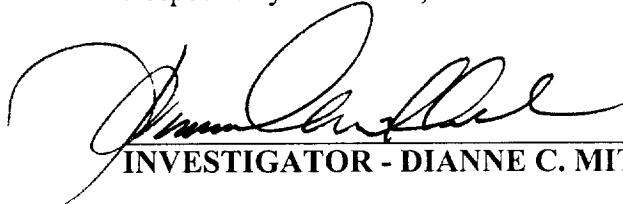
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable \_\_\_\_\_

City not involved X Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ \_\_\_\_\_ Adverse X Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_ 2P01 \_\_\_\_\_

Claims Manager:  Concur/date 01-29-03

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

RCS# 4470  
2/17/03  
2:22 PM

Atlanta City Council

Regular Session

CONSENT I

Pgs. 1-11: Except 03-R-0224

ADOPT

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

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**2/17/03 FULL COUNCIL MEETING**

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**Items Adopted on the  
Consent Agenda**

1. 02-O-0037  
2. 03-O-0127  
3. 03-O-0185  
4. 03-O-0187  
5. 03-O-0085  
6. 03-O-0125  
7. 03-R-0143  
8. 03-R-0144  
9. 03-R-0189  
10. 03-R-0210  
11. 03-R-0211  
12. 03-R-0212  
13. 03-R-0213  
14. 03-R-0145  
15. 03-R-0146  
16. 03-R-0149  
17. 03-R-0150  
18. 03-R-0151  
19. 03-R-0152  
20. 03-R-0153  
21. 03-R-0160  
22. 03-R-0207  
23. 03-R-0208  
24. 03-R-0209  
25. 03-R-0141  
26. 03-R-0142  
27. 03-R-0140  
28. 03-R-0128  
29. 03-R-0129  
30. 03-R-0130  
31. 03-R-0131  
32. 03-R-0132  
33. 03-R-0133  
34. 03-R-0134  
35. 03-R-0135  
36. 03-R-0136

**Items Adversed on the Consent  
Agenda**

37. 03-R-0161  
38. 03-R-0162  
39. 03-R-0137  
40. 03-R-0138  
41. 03-R-0139  
42. 03-R-0163  
43. 03-R-0164  
44. 03-R-0165  
45. 03-R-0166  
46. 03-R-0167  
47. 03-R-0168  
48. 03-R-0169  
49. 03-R-0170  
50. 03-R-0171  
51. 03-R-0172  
52. 03-R-0173  
53. 03-R-0174  
54. 03-R-0175  
55. 03-R-0176  
56. 03-R-0177  
57. 03-R-0178  
58. 03-R-0179  
59. 03-R-0180  
60. 03-R-0181  
61. 03-R-0201

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Consent I Vote: 14Yeas; 0 Nays: (See RCS #4470)  
Item Removed from the Consent Agenda: 03-R-0224